

Serial No. 10/016,725

In the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Please cancel claims 1, 2, and 14-20 without prejudice.

Please amend claims 3-9 as follows:

Please add claims 21-31 as follows:

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STATUS OF CLAIMS

Claim 1. (Canceled)

Claim 2. (Canceled)

Claim 3. (Currently Amended) An isolated polynucleotide DNA of claim 21, wherein said DNA isolated polynucleotide comprises the nucleotide sequence from about 145 nucleotide position 1 to about 4152 in the sequence listing in Figure 1 nucleotide position 3958 of SEQ ID NO:15.

Claim 4. (Currently Amended) An isolated polynucleotide DNA of claim 221, wherein said DNA isolated polynucleotide comprises the nucleotide sequence from about 193 nucleotide position 1 to about 4152 in the sequence listing in Figure 1 nucleotide position 3910 of SEQ ID NO:15.

Claim 5. (Currently Amended) A vector comprising an isolated polynucleotide DNA of claim 21.

Claim 6. (Currently Amended) A vector of claim 5, wherein said vector is a plasmid or a virus.

Claim 7. (Currently Amended) A nucleic acid construct comprising at least one isolated polynucleotide DNA of claim 21.

Claim 8. (Currently Amended) A nucleic acid construct of claim 7, further comprising an effector gene, wherein said isolated polynucleotide DNA activates the transcription of said effector gene.

Claim 9. (Currently Amended) A nucleic acid construct of claim 8, wherein said isolated polynucleotide DNA is upstream of the effector gene.

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Claim 10. (Original) A nucleic acid construct of claim 9, wherein said effector gene is a stearoyl-CoA desaturase gene.

Claim 11. (Original) A nucleic acid construct of claim 10, wherein said effector gene is human stearoyl-CoA desaturase gene.

Claim 12. (Original) A host cell that comprises a nucleic acid construct of claim 7.

Claim 13. (Original) A host cell that comprises a nucleic acid construct of claim 8.

Claims 14-20. (Canceled)

Claim 21. (New) An isolated polynucleotide comprising the nucleotide sequence selected from the group consisting of the nucleotide sequence from about nucleotide position 1 to about nucleotide position 3958 of SEQ ID NO:15 or a variant thereof, wherein said variant comprises deletions, additions, insertions, and/or substitutions of from 1 to 50 bases of said sequence.

Claim 22. (New) An isolated polynucleotide comprising the nucleotide sequence selected from the group consisting of the nucleotide sequence from about nucleotide position 1 to about nucleotide position 3910 of SEQ ID NO:15 or a variant thereof, wherein said variant comprises deletions, additions, insertions, and/or substitutions of from 1 to 50 bases of said sequence.

Claim 23. (New) A vector comprising an isolated polynucleotide of claim 22.

Claim 24. (New) A vector of claim 23, wherein said vector is a plasmid or a virus.

Claim 25. (New) A nucleic acid construct comprising at least one isolated polynucleotide of claim 22.

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Claim 26. (New) A nucleic acid construct of claim 25, further comprising an effector gene, wherein said DNA activates the transcription of said effector gene.

Claim 27. (New) A nucleic acid construct of claim 26, wherein said DNA is upstream of the effector gene.

Claim 28. (New) A nucleic acid construct of claim 27, wherein said effector gene is a stearoyl-CoA desaturase gene.

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Claim 29. (New) A nucleic acid construct of claim 28, wherein said effector gene is human stearoyl-CoA desaturase gene,

Claim 30. (New) A host cell that comprises a nucleic acid construct of claim 25.

Claim 31. (New) A host cell that comprises a nucleic acid construct of claim 26.
